

Notice of Allowability

Application No.

09/689,533

Applicant(s)

ITO ET AL.

Examiner

Art Unit

Zhuo H. Li

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/31/2005.
2. ☒ The allowed claim(s) is/are 1-21,23-25 and 27-36.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/689,533.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT AND STATEMENT OF REASONS FOR ALLOWANCE

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

The title of the application should be amended as following:

“Method and apparatus for managing information update count and contents usage count”

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

2. Claims 1-21, 23-25 and 27-36 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to a information update count managing method for a non-volatile memory by reading out a last piece of information which has been written in an information storage area of the non-volatile memory within a predetermined permitted update count in order to prevent a person from improperly resetting the contents usage count (i.e.,

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detering one from attempting to erase or hack the predetermined permitted update count by storing the predetermined permitted update count in a first sector of the non-volatile memory, which includes a first program to be executed after a reset, and the program for checking the information storage area is arranged in an area where it is unlikely to be tampered with, and it is executed before control is transferred to an updatable program, in order to assure the contents of the information storage area are trustworthy at the time when control is transferred to the updatable program).

Applicant's independent claims 12, 25 and 29 each recite, *inter alia*, an information update count managing apparatus with a structure as defined in the specification including a microprocessor for writing pieces of information in a predetermined order in the WORDs of information storage area and for reading out a last piece of information which has been written in at least one WORD of the information storage area within a predetermined permitted update count, wherein the predetermined permitted update count is stored in the non-volatile memory in a sector which includes a first program to be executed after a reset. Applicant's independent claims 12, 25 and 29 comprise a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claims 1, 21 and 36 each recite, *inter alia*, a read step for reading out a last piece of information which has been written in the information storage area within a predetermined permitted update count, wherein the predetermined permitted update count is stored in the non-volatile memory in a sector which includes a first program to be executed after a reset. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

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Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited by Applicant in Amendments


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhuo H. Li whose telephone number is 571-272-4183. The examiner can normally be reached on Tues - Fri 9:00am - 6:30pm and alternate Monday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on 571-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


BEHZAD JAMES PEIKARI
PRIMARY EXAMINER

Zhuo H. Li 
Patent Examiner
Art Unit 2185
November 10, 2005